

## PART 622—FISHERIES OF THE CARIBBEAN, GULF, AND SOUTH ATLANTIC

### Subpart A—General Provisions

#### Sec.

- 622.1 Purpose and scope.
- 622.2 Definitions and acronyms.
- 622.3 Relation to other laws and regulations.
- 622.4 Permits and fees.
- 622.5 Recordkeeping and reporting.
- 622.6 Vessel and gear identification.
- 622.7 Prohibitions.
- 622.8 At-sea observer coverage.
- 622.9 Vessel monitoring systems (VMSs).
- 622.10 Conservation measures for protected resources.

### Subpart B—Effort Limitations

- 622.15 Wreckfish individual transferable quota (ITQ) system.
- 622.16 Red snapper individual transferable quota (ITQ) system.
- 622.17 South Atlantic golden crab controlled access.
- 622.18 South Atlantic snapper-grouper limited access.
- 622.19 South Atlantic rock shrimp limited access.

### Subpart C—Management Measures

- 622.30 Fishing years.
- 622.31 Prohibited gear and methods.
- 622.32 Prohibited and limited-harvest species.
- 622.33 Caribbean EEZ seasonal and/or area closures.
- 622.34 Gulf EEZ seasonal and/or area closures.
- 622.35 Atlantic EEZ seasonal and/or area closures.
- 622.36 Seasonal harvest limitations.
- 622.37 Size limits.

- 622.38 Landing fish intact.
- 622.39 Bag and possession limits.
- 622.40 Limitations on traps and pots.
- 622.41 Species specific limitations.
- 622.42 Quotas.
- 622.43 Closures.
- 622.44 Commercial trip limits.
- 622.45 Restrictions on sale/purchase.
- 622.46 Prevention of gear conflicts.
- 622.47 Gulf groundfish trawl fishery.
- 622.48 Adjustment of management measures.

#### APPENDIX A TO PART 622—SPECIES TABLES

#### APPENDIX B TO PART 622—GULF AREAS

#### APPENDIX C TO PART 622—FISH LENGTH MEASUREMENTS

#### APPENDIX D TO PART 622—SPECIFICATIONS FOR CERTIFIED BRDs

AUTHORITY: 16 U.S.C. 1801 *et seq.*

SOURCE: 61 FR 34934, July 3, 1996, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 622 appear at 70 FR 73389, Dec. 12, 2005.

### Subpart A—General Provisions

#### § 622.1 Purpose and scope.

(a) The purpose of this part is to implement the FMPs prepared under the Magnuson Act by the CFMC, GMFMC, and/or SAFMC listed in Table 1 of this section.

(b) This part governs conservation and management of species included in the FMPs in or from the Caribbean, Gulf, Mid-Atlantic, South Atlantic, or Atlantic EEZ, as indicated in Table 1 of this section. For the FMPs noted in the following table, conservation and management extends to adjoining state waters for the purposes of data collection and monitoring.

TABLE 1—FMPs IMPLEMENTED UNDER PART 622

FMP title	Responsible fishery management council(s)	Geographical area
Atlantic Coast Red Drum FMP .....	SAFMC	Mid-Atlantic and South Atlantic.
FMP for Coastal Migratory Pelagic Resources .....	GMFMC/SAFMC	Gulf, <sup>1</sup> Mid-Atlantic <sup>1,2</sup> and South Atlantic. <sup>1,3</sup>
FMP for Coral and Coral Reefs of the Gulf of Mexico .....	GMFMC	Gulf.
FMP for Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region.	SAFMC	South Atlantic.
FMP for Corals and Reef Associated Plants and Invertebrates of Puerto Rico and the U.S. Virgin Islands.	CFMC	Caribbean.
FMP for the Dolphin and Wahoo Fishery off the Atlantic States .....	SAFMC	Atlantic.
FMP for the Golden Crab Fishery of the South Atlantic Region .....	SAFMC	South Atlantic
FMP for Queen Conch Resources of Puerto Rico and the U.S. Virgin Islands.	CFMC	Caribbean.
FMP for Pelagic Sargassum Habitat of the South Atlantic Region .....	SAFMC	South Atlantic
FMP for the Red Drum Fishery of the Gulf of Mexico .....	GMFMC	Gulf. <sup>1</sup>
FMP for the Reef Fish Fishery of Puerto Rico and the U.S. Virgin Islands.	CFMC	Caribbean.

## Fishery Conservation and Management

## § 622.2

TABLE 1—FMPs IMPLEMENTED UNDER PART 622—Continued

FMP title	Responsible fishery management council(s)	Geographical area
FMP for the Reef Fish Resources of the Gulf of Mexico .....	GMFMC	Gulf. <sup>1</sup>
FMP for the Shrimp Fishery of the Gulf of Mexico .....	GMFMC	Gulf. <sup>1</sup>
FMP for the Shrimp Fishery of the South Atlantic Region .....	SAFMC	South Atlantic.
FMP for the Snapper-Grouper Fishery of the South Atlantic Region ...	SAFMC	South Atlantic. <sup>1,4</sup>
FMP for the Spiny Lobster Fishery of Puerto Rico and the U.S. Virgin Islands.	CFMC	Caribbean.

<sup>1</sup> Regulated area includes adjoining state waters for purposes of data collection and quota monitoring.

<sup>2</sup> Only king and Spanish mackerel and cobia are managed under the FMP in the Mid-Atlantic.

<sup>3</sup> Bluefish are not managed under the FMP in the South Atlantic.

<sup>4</sup> Bank, rock, and black sea bass and scup are not managed by the FMP or regulated by this part north of 35°15.19' N. lat., the latitude of Cape Hatteras Light, NC.

[61 FR 34934, July 3, 1996, as amended at 61 FR 43956, Aug. 27, 1996; 61 FR 65483, Dec. 13, 1996; 63 FR 10565, Mar. 4, 1998; 67 FR 22362, May 3, 2002; 68 FR 57378, Oct. 3, 2003; 69 FR 30240, May 27, 2004]

### § 622.2 Definitions and acronyms.

In addition to the definitions in the Magnuson Act and in §600.10 of this chapter, and the acronyms in §600.15 of this chapter, the terms and acronyms used in this part have the following meanings:

*Allowable chemical* means a substance, generally used to immobilize marine life so that it can be captured alive, that, when introduced into the water, does not take Gulf and South Atlantic prohibited coral and is allowed by Florida for the harvest of tropical fish (e.g., quinaldine, quinaldine compounds, or similar substances).

*Allowable octocoral* means an erect, nonencrusting species of the subclass Octocorallia, except the seafans *Gorgonia flabellum* and *G. ventalina*, plus the attached substrate within 1 inch (2.54 cm) of an allowable octocoral.

NOTE: An erect, nonencrusting species of the subclass Octocorallia, except the seafans *Gorgonia flabellum* and *G. ventalina*, with attached substrate exceeding 1 inch (2.54 cm) is considered to be live rock and not allowable octocoral.

*Aquacultured live rock* means live rock that is harvested under a Federal aquacultured live rock permit, as required under §622.4(a)(3)(iii).

*Atlantic* means the North Atlantic, Mid-Atlantic, and South Atlantic.

*Authorized statistical reporting agent* means:

- (1) Any person so designated by the SRD; or
- (2) Any person so designated by the head of any Federal or State agency

that has entered into an agreement with the Assistant Administrator to collect fishery data.

*Automatic reel* means a reel that remains attached to a vessel when in use from which a line and attached hook(s) are deployed. The line is payed out from and retrieved on the reel electrically or hydraulically.

*Bandit gear* means a rod and reel that remain attached to a vessel when in use from which a line and attached hook(s) are deployed. The line is payed out from and retrieved on the reel manually, electrically, or hydraulically.

*BRD* means bycatch reduction device.

*Buoy gear* means fishing gear consisting of a float and one or more weighted lines suspended therefrom, generally long enough to reach the bottom. A hook or hooks (usually 6 to 10) are on the lines at or near the end. The float and line(s) drift freely and are retrieved periodically to remove catch and rebait hooks.

*Carapace length* means the straight-line distance from the orbital notch inside the orbital spine, in a line parallel to the lateral rostral sulcus, to the posterior margin of the cephalothorax. (See Figure 1 in Appendix C of this part.)

*Caribbean* means the Caribbean Sea around Puerto Rico and the U.S. Virgin Islands.

*Caribbean coral reef resource* means one or more of the species, or a part thereof, listed in Table 1 in Appendix A of this part, whether living or dead.